

# **Exhibit A**

1 BRIAN M. BOYNTON  
2 Principal Deputy Assistant Attorney General  
3 EMILY B. NESTLER  
4 Assistant Director  
5 DOROTHY CANEVARI  
6 M. ANDREW ZEE  
7 CAMERON SILVERBERG  
8 Trial Attorneys, Federal Programs Branch  
9 U.S. Department of Justice, Civil Division  
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11 Washington, DC 20001  
12 Tel.: (202) 616-8040  
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14 *Attorneys for Defendant*

15  
16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 CLAUDIA ESCOTO,

19 Plaintiff,

20 v.

21 MERRICK GARLAND, in his official  
22 capacity as Attorney General of the United  
23 States,

24 Defendant.

Case No.: 2:23-cv-03340-FMO-E

**DEFENDANT'S RULE 68  
OFFER OF JUDGMENT**

1 Pursuant to Federal Rule of Civil Procedure 68, Defendant hereby offers to  
2 allow entry of judgment to be taken against him and in favor of Plaintiff Claudia  
3 Escoto on all claims on the following terms:  
4

- 5 1. Defendant shall pay to Plaintiff (i) the sum of one point two million dollars  
6 (\$1,200,000); plus (ii) “costs,” 42 U.S. Code § 2000e–5(k), incurred prior  
7 to the date of this offer during the course of litigating the captioned action;  
8 and (iii) including “a reasonable attorney’s fee (including expert fees) as  
9 part of the costs,” *id.*, to be agreed upon by the Parties or, if no agreement  
10 is reached, determined by the Court in its discretion, incurred prior to the  
11 date of this offer during the course of litigating the captioned action;  
12  
13  
14
- 15 2. Defendant shall modify Plaintiff’s Standard Form 50 (SF-50) to show a  
16 voluntary resignation instead of removal;  
17
- 18 3. Defendant shall remove all references to Plaintiff’s removal from her  
19 Electronic Official Personnel Folder (eOPF); and  
20
- 21 4. Defendant shall provide a neutral letter of reference that Plaintiff can use  
22 for any future job applications, which shall include (1) Plaintiff’s positions  
23 and titles while employed by the Executive Office for Immigration  
24 Review, (2) Plaintiff’s grade and salary as of her last day of employment,  
25 and (3) the dates of Plaintiff’s employment.  
26  
27  
28

1 This offer is intended to resolve all of Plaintiff's claims in this action,  
2 including without limitation any and all claims for damages, equitable relief, interest,  
3 expenses, attorney fees, expert fees, and other costs of suit.  
4

5 Under the provisions of Rule 68, this offer will be deemed withdrawn if not  
6 accepted by Plaintiff Claudia Escoto within (14) fourteen days of service of the offer.  
7  
8

9 Dated: January 24, 2024.

Respectfully submitted,

10 BRIAN M. BOYNTON  
11 Principal Deputy Assistant Attorney General  
12 EMILY B. NESTLER  
13 Assistant Director

14 /s/ Dorothy Canevari  
15 DOROTHY CANEVARI  
16 M. ANDREW ZEE  
17 CAMERON SILVERBERG  
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